

Remarks

Claims 1-20 are pending in the application and claims 9-12, 16, 19 and 20 were rejected. Claims 1-8 were withdrawn and claims 13-15, 17 and 18 were objected to. By this Amendment, claims 10, 13-15 and 17-18 have been canceled and new claims 21-26 have been added. Reconsideration of the claims is respectfully requested. No new matter has been added.

Claim Objections

Claims 10, 13-15, 17 and 18 were objected to. These claims have been cancelled.

Rejection Under 35 U.S.C. § 112

Claim 10 was rejected under § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. Claim 10 has been cancelled.

Applicants' Response to Rejection Under 35 U.S.C. § 102 Based on Hatakeyama

Claims 9, 11, 16 and 20 were rejected under § 102(b) as being anticipated by French Patent No. FR 2572676 issued to Hatakeyama et al. (hereinafter "Hatakeyama '676"). Applicants respectfully traverse this rejection.

A rejection under 35 U.S.C. 35 U.S.C. § 102 requires that the cited reference contain each and every element of the claimed invention. MPEP §706.02(iv) "for anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Each feature not directly taught must be inherently present."

Hatakeyama '676 does not disclose "every aspect of the claimed invention either explicitly or impliedly." Independent claim 9 recites:

An automotive vehicle tooling system for manufacturing a trim panel assembly comprising:
a first tool operable to produce a first component of a first material, said first tool having a first cavity and a second cavity, said first tool further having a mold element movable between a first position to expose said second cavity and a second position to block said second cavity, said first tool receiving said first material and producing said panel having a receptacle when said mold element is positioned in said second position; and a second tool different than said first tool operable to produce a second component having a second material different than said first material;
wherein said second component is secured within said receptacle of said first component.

Hatakeyama '676 does not disclose "a second tool different than said first tool operable to produce a second component having a second material different than said first material," as recited in claim 9 of the present application. Nor does Hatakeyama '676 disclose a "second component" that "is secured within said receptacle of said first component" as further required by Claim 9 of the present invention. Because Hatakeyama '676 fails to disclose these recited claim elements, Hatakeyama '676 does not anticipate claim 9 under 35 U.S.C. § 102(b). Accordingly, Applicant requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of claim 9 based on Hatakeyama '676 and allow claim 1 to issue.

Dependent claims 11 and 12 depend from independent claim 9. Accordingly, dependent claims 11 and 12 incorporate each and every limitation of claim 9. Therefore, dependent claims 11 and 12 are not anticipated by Hatakeyama '676 for at least the reasons discussed above with respect to claim 9. Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claims 11 and 12 based on Hatakeyama '676 and allow claims 11 and 12 to issue.

Hatakeyama '676 does not disclose "every aspect of the claimed invention either explicitly or impliedly. Independent claim 16 recites:

An automotive trim panel assembly and a tooling system for producing the automotive trim panel comprising:

a first tool having a mold cavity and a mold element movable between a first position in which at least a majority of the mold element is positioned outside the cavity and a second position in which the element at least substantially obstructs the cavity;
a second tool assembly different from the first tool assembly;
manufacturing a first component of the trim panel assembly by inserting a first material within the first tool with the mold element in the second position to form a receptacle within said first component;
manufacturing a second component of the trim panel assembly using the second tool assembly and a second material; and
securing the second component within the receptacle of the first component.

Hatakeyama '676 does not disclose "a second tool assembly different from the first tool assembly." Nor does Hatakeyama '676 disclose "manufacturing a second component of the trim panel assembly using the second tool assembly and a second material." Nor does Hatakeyama '676 disclose "securing the second component within the receptacle of the first component." Because Hatakeyama '676 does not disclose each and every element of independent claim 16, Hatakeyama '676 does not anticipate claim 16 under 35 U.S.C. § 102(b). Accordingly, Applicant requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of claim 16 and allow claim 16 to issue.

Dependent claims 19 and 20 depend from independent claim 16. Accordingly, dependent claims 19 and 20 incorporate each and every limitation of independent claim 16. Therefore, dependent claims 19 and 20 are not anticipated by Hatakeyama '676 for at least the reasons discussed above with respect to independent claim 16. Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claims 19 and 20 and allow claims 19 and 20 to issue.

Applicants' Response to Rejection Under 35 U.S.C. § 102 Based on Watanabe

Claims 9, 12, 16 and 19 were rejected under § 102(b) as being anticipated by Japanese Patent 62-108019 issued to Watanabe et al. (hereinafter "Watanabe '019"). Applicants respectfully traverse this rejection.

As set forth above, a rejection under 35 U.S.C. § 102 requires that the cited reference contain each and every element of the claimed invention. MPEP § 706.02(iv). Watanabe '019 does not disclose "every aspect of the claimed invention either explicitly or impliedly." Independent claim 9 recites:

An automotive vehicle tooling system for manufacturing a trim panel assembly comprising:
a first tool operable to produce a first component of a first material, said first tool having a first cavity and a second cavity, said first tool further having a mold element movable between a first position to expose said second cavity and a second position to block said second cavity, said first tool receiving said first material and producing said panel having a receptacle when said mold element is positioned in said second position; and a second tool different than said first tool operable to produce a second component having a second material different than said first material;
wherein said second component is secured within said receptacle of said first component.

Watanabe '019 does not disclose "a second tool different than said first tool operable to produce a second component having a second material different than said first material." Nor does Watanabe '019 disclose "said second component" being "secured within said receptacle of first component." Because Watanabe '019 lacks each and every element of independent claim 9, Watanabe '019 does not anticipate independent claim 9 under 35 U.S.C. § 102(b). Accordingly, Applicants request that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of independent claim 9 and allow independent claim 9 to issue.

Dependent claims 11 and 12 depend from independent claim 9. Accordingly, dependent claims 11 and 12 incorporate each and every limitation of independent claim 9. Therefore, dependent claims 11 and 12 are not anticipated by Watanabe '019 for at least the reasons discussed above with respect to independent claim 9. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of dependent claims 11 and 12 and allow dependent claims 11 and 12 to issue.

Watanabe '019 does not disclose each and every aspect of independent claim 16.

Independent claim 16 recites:

Independent claim 16: An automotive trim panel assembly and a tooling system for producing the automotive trim panel comprising:
a first tool having a mold cavity and a mold element movable between a first position in which at least a majority of the mold element is positioned outside the cavity and a second position in which the element at least substantially obstructs the cavity;
a second tool assembly different from the first tool assembly;
manufacturing a first component of the trim panel assembly by inserting a first material within the first tool with the mold element in the second position to form a receptacle within said first component;
manufacturing a second component of the trim panel assembly using the second tool assembly and a second material; and
securing the second component within the receptacle of the first component.

Watanabe '019 does not disclose “a second tool assembly different from the first tool assembly.” Nor does Watanabe '019 disclose “manufacturing a second component of the trim panel assembly using the second tool assembly and a second material.” Nor does Watanabe '019 disclose “securing the second component within the receptacle of the first component.” Because Watanabe '019 lacks each and every element of independent claim 16, Watanabe '019 does not anticipate independent claim 16 under 35 U.S.C. § 102(b). Accordingly, Applicant requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of independent claim 16 and allow independent claim 16 to issue.

Dependent claims 19 and 20 depend from independent claim 16. Accordingly, dependent claims 19 and 20 incorporate each and every limitation of independent claim 16. Therefore, dependent claims 19 and 20 are not anticipated by Watanabe '019 for at least the reasons discussed above with respect to independent claim 16. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of dependent claims 19 and 20 and allow dependent claims 19 and 20 to issue.

New Claims

New dependent claims 21 through 26 have been added by this Amendment for consideration. New dependent claims 21 and 22 depend from independent claim 9. New dependent claim 23 depends from new dependent claim 22. Accordingly, Applicants respectfully submit that new dependent claims 21 through 23 are patentable for at least the same reasons that independent claim 16 is patentable. New dependent claims 24 and 25 depend from independent claim 16. New dependent claim 26 depends from new dependent claim 25. Accordingly, Applicants submit that new dependent claims 24 through 26 are patentable for at least the same reasons that independent claim 16 is patentable. Accordingly, Applicants respectfully request that the Examiner allow new dependent claims 21 through 26 to issue.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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